

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

AMADEO HERNANDEZ-JAIMES

PETITIONER

V.

CIVIL ACTION NO. 3:23-CV-424-KHJ-MTP

WARDEN F.C.I YAZOO CITY MEDIUM

RESPONDENT

ORDER

Before the Court is the [10] Report and Recommendation (“Report”) of United States Magistrate Judge Michael T. Parker. The Report recommends denying pro se Petitioner Amadeo Hernandez-Jaimes’s [1] Petition for Writ of Habeas Corpus and dismissing this action without prejudice. [10] at 5. The Report notified the parties that failure to file written objections within 14 days would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

When no party objects to a magistrate judge’s report, the Court need not review it de novo. *See* 28 U.S.C. § 636(b)(1). Instead, the Court can apply the clearly erroneous, abuse-of-discretion, and contrary-to-law standard of review. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

Hernandez-Jaimes’s Petition “challeng[es] his sentence calculation.” [10] at 2. Respondent Warden F.C.I. Yazoo City Medium responded, arguing the Petition “should be dismissed because [Hernandez-Jaimes] failed to exhaust his administrative remedies prior to filing this action.” *Id.* The Magistrate Judge agrees and recommends denying the Petition and dismissing this action based on

Hernandez-Jaimes’s “fail[ure] to properly exhaust his administrative remedies.” *Id.* at 5.

Hernandez-Jaimes filed no objections to the Report, and the time to do so has passed. The Report is neither clearly erroneous nor contrary to law. The Court therefore adopts the Report as the opinion of this Court.

Accordingly, the Court DENIES Petitioner Amadeo Hernandez-Jaimes’s [1] Petition for Writ of Habeas Corpus and DISMISSES this action without prejudice. The Court will issue a final judgment consistent with this Order.

SO ORDERED, this 8th day of April, 2024.

s/ Kristi H. Johnson
UNITED STATES DISTRICT JUDGE